

## **Amendments to the Drawings**

Please replace Figure 1 with the enclosed replacement sheet.

## Remarks

Applicant thanks the Examiner for the Written Office Action.

Applicant desires to indicate the status of the claims in the application. Claims 1-4 are pending in the application; Claims 1-4 are objected to in the application; Claims 1-3 are rejected under 35 U.S.C. 112; Claim 1 is rejected under 35 U.S.C. 103; and Claims 2-3 are allowable if rewritten in response to made objections. In response, Applicant has amended Claims 1, 3, and 4 and new Claims 5-12 have been added. Support for the amendments and new claims may be found in Figures 1 and 2, and paragraphs 16 and 17. Accordingly, the Applicant believes there is no new matter.

With regard to the substantive portion of the Written Office Action, the USPTO requested references cited in the patent be disclosed properly in an Information Disclosure Statement, the drawings were objected to as not properly showing the through hole (s). Further, claims 1-4 were objected to for having a multiple independent claim depend from another multiple dependent claim and for typographical errors. Claims 1-3 were rejected under 35 U.S.C. 112 as being indefinite and failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Claim 1 was rejected under 35 U.S.C. 103 as being unpatentable over Hanson (US 6,634,052) in view of Tsui (US 6,206,978). Finally, Claims 2-3 would be allowable if rewritten to overcome the rejections set forth in the Office Action.

In response to the Written Office Action, Applicant has included an Information Disclosure Statement, referencing the cited prior art. The application number, CN2008000767, and the publication number, CN1302182, both refer to the same Chinese

patent application. An information sheet, including an abstract of the cited Chinese patent application, has been included for the Examiner's convenience.

Further, Applicant has amended the drawings to point out and distinctly show the "through holes" as described in the claims. Specifically, the "through holes" are now labeled as 11 in the drawings as well as the specification. The Applicant believes no new matter has been added to the drawings as the through holes are clearly described in paragraphs 16 and 17 and shown in Figures 1 and 2. Additionally, Applicant has amended the specification to include proper identification and numbering of the "through holes" in paragraphs 16 and 17.

In response to the claim objections, Claim 4 has been amended so as not to constitute an improper multiple dependent claims. Additionally, Claims 1-4 have been amended to clearly distinguish the "through holes" as plural. In response to claim rejection under 35 U.S.C. 112, Claims 1-3 have been amended as previously described to clearly distinguish the "through holes" as plural. The Applicant believes that no new matter has been added; as the drawings, as well as the specification, clearly show and describe two separate "through holes" (Figures 1, item 11, Paragraph 16 and 17).

**Response to Examiner's allowable subject matter**

In response to the Examiner's suggestions regarding the potential allowance of Claims 2 and 3, the Applicant has included New Claim 6 which, per the Examiner's suggestions, includes Claim 2 plus all of the limitations of the base Claim 1, plus any intervening claims. Additionally, the Applicant has included New Claim 9, which, per the Examiner's suggestions, includes Claim 3 plus all of the limitations of the base Claim

1 and any intervening claims. Additionally, the New Claims 6-12 have been written to overcome the rejections under 35 U.S.C. 112, second paragraph.

**Response to Rejection under 35 U.S.C. 103**

In response to the 35 U.S.C. 103 rejection of Claim 1, Claim 1 has been amended to include “a plurality of through holes”. New claims 5-12 have been added to further distinguish the Applicant’s invention from the prior art. Specifically, Claims 5 and 8 include allowable subject matter, as indicated by the Examiner’s Office Action.

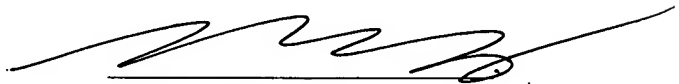
In response to the 35 U.S.C. 103 rejection of Claim 1 the Applicant respectfully disagrees with the Examiner’s arguments of unpatentability of Claim 1 over Hanson in view of Tsui. First, the Applicant argues motivation to combine Hanson and Tsui is lacking in the two references. Nowhere in Hanson is there any mention of using an aquarium with a curved surface. The Applicant acknowledges that there need not be express or written motivation to combine. Indeed, motivation to combine may exist in the nature of the problem to be solved. See *Ruiz v. A.B. Chance Co.*, 357 F.3d 1270, 1276, 69 USPQ2d 1686, 1690 (Fed. Cir. 2004). However, nowhere in Hanson is there any mention of an aquarium with a curved surface. Furthermore, in finding motivation combining the prior may not be based on the nature of “a” problem to be solved; rather “the” problem to be solved. In Hanson, there is no disclosure of any curved surfaces; therefore, the problem in Hanson is not at all related to curved surface aquariums. Therefore, because the problem of curved surface aquariums does not exist in Hanson, there is no motivation to combine the convex edge with the cleaning tool in Hanson. Additionally, because there is lack of express or written motivation to combine Hanson and Tsui, the Applicant respectfully argues the application of impermissible hindsight.

**Conclusion**

For these reasons, it is believed that none of the cited prior art teaches the claimed invention. Furthermore, it is believed that the foregoing amendment has adequate support in the specification, and accordingly there should be no new matter. Applicant believes the pending claims have addressed each of the issues pointed out by the Examiner in the Office Action. In light of the foregoing amendment, the claims should be in a condition for allowance. Furthermore, as the resulting amendments and new claims do not exceed the 20 claims with 3 independents, the Applicant believes there should be no resulting fees from the new claims and amendments.

Additionally, the Applicant would like to ratify and remind the Examiner of the substitute Power of Attorney and Change of Correspondence Address recently submitted by the Applicant. For the Examiner's convenience, a copy of the recently submitted Change of Correspondence Address included herewith. Should the Examiner wish to discuss any of the proposed changes or the previously submitted substitute Power of Attorney, Applicant again invites the Examiner to do so by telephone conference.

Respectfully Submitted,



Weili Cheng, PhD  
Registration No. 44,609  
Attorney for Applicant

Date: 12/7/06  
Starkweather and Associates  
9035 South 1300 East  
Suite 200  
Sandy, Utah 84094  
Telephone: 801/272-8368